

# United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

THE SWISS COLONY, INC.,

Plaintiff,

## SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

M/V APL GENERAL, her engines, tackle, boiler,  
etc., in rem, AMERICAN PRESIDENT LINES,  
LTD., HYUNDAI MERCHANT MARINE CO., LTD.  
and EXPEDITORS INTERNATIONAL OCEAN, in  
personam,

08 CIV 4824

TO: (Name and address of defendant)

American President Lines, Ltd., 100 Central Avenue, Building 40C, So. Kearny, NJ  
07032  
Hyundai Merchant Marine Co., Ltd., 300 Sylvan Avenue, 2nd Fl., Englewood Cliffs, NJ  
07632  
Expeditors International Ocean. 245 Roger Avenue. Inwood. NY 11096

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

HILL RIVKINS & HAYDEN LLP  
45 Broadway, Suite 1500  
New York, New York 10006

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

MAY 2 2008

**J. MICHAEL McMAHON**

CLERK

DATE

(BY) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons In a Civil Action -SDNY WEB 4/99

<b>RETURN OF SERVICE</b>		
Service of the Summons and Complaint was made by me <sup>1</sup>	DATE	
NAME OF SERVER ( <i>PRINT</i> )	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____ _____		
<input type="checkbox"/> Returned unexecuted: _____ _____ _____		
<input type="checkbox"/> Other ( <i>specify</i> ): _____ _____ _____		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL
<b>DECLARATION OF SERVER</b>		
<p style="text-align: center;">I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Executed on _____</p> <p style="text-align: center;">Date</p> </div> <div style="width: 45%;"> <p>_____ Signature of Server</p>   <p>_____ Address of Server</p> </div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Page 27 GENERAL PURPOSE

**HILL RIVKINS & HAYDEN LLP**

**ATTN: BOB BLUM**

U.S. SOUTHERN DIST. COURT NEW YORK COUNTY

THE SWISS COLONY, INC.

plaintiff

- against -

M/V APL GENERAL HER ENGINES, TACKLE  
BOILER, ETC. ETAL

defendant

Index No. **08 CIV 4824**

Date Filed .....

Office No. **29734-KBD**

Court Date: / /

STATE OF NEW YORK, COUNTY OF NEW YORK

:SS:

**RICHARD RUBINSTEIN** being duly sworn, deposes and says:  
I am over 18 years of age, not a party to this action, and reside in the  
State of New York.

That on the **16th day of June, 2008** at **12:22 PM.,**  
**245 ROGER AVE**  
**INWOOD, NY 11096**

at

I served a true copy of the  
**SUMMONS AND COMPLAINT**

upon **EXPEDITORS INTERNATIONAL OCEAN**  
the **DEFENDANT** therein named,  
by delivering to, and leaving personally with  
**"JANE SMITH", MANAGING AGENT WHO REFUSED TRUE NAME**

a true copy of each thereof.

Deponent describes the person served as aforesaid to the best of deponent's  
ability at the time and circumstances of the aforesaid service as follows:

SEX: **FEMALE**

COLOR: **WHITE**

HAIR: **BROWN**

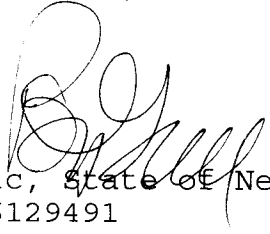
APP. AGE: **60**

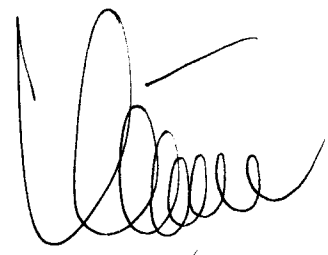
APP. HT: **5:4**

APP. WT: **131**

OTHER IDENTIFYING FEATURES:

Sworn to before me this  
17th day of June, 2008e

  
BRETT GOLUB  
Notary Public, State of New York  
No. 01G06129491  
Qualified in NASSAU  
Commission Expires 06/27/2009

  
.....  
RICHARD RUBINSTEIN  
AETNA CENTRAL JUDICIAL SERVICES  
225 BROADWAY, SUITE 1802  
NEW YORK, NY, 10007  
Reference No: 3HRL0M132651